

ESTTA Tracking number: **ESTTA385335**

Filing date: **12/22/2010**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91193996
Party	Plaintiff The Republic of Tea, Inc.
Correspondence Address	THE REPUBLIC OF TEA, INC. 5 HAMILTON LANDING STE 100 NOVATO, CA 94949-8263 UNITED STATES mburke@mwe.com, umattsson@mwe.com, cvicino@mwe.com, lbalsan@mwe.com
Submission	Withdrawal of Opposition
Filer's Name	Michelle C. Burke
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Signature	//Michelle C. Burke//
Date	12/22/2010
Attachments	Opposer's Notice of Withdrawal of Notice of Opposition with Consent.pdf (2 pages)(33918 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Application Serial No. 77/623,419
For the mark GET SPIKED!
Published in the Official Gazette on November 3, 2009

_____X		
The Republic of Tea, Inc.	:	
	:	
Opposer,	:	Opposition No. 91193996
	:	
v.	:	
	:	
Monsterops, LLC	:	
	:	
Applicant.	:	
_____X		

OPPOSER'S NOTICE OF WITHDRAWAL OF
NOTICE OF OPPOSITION WITH CONSENT

Pursuant to 37 C.F.R. § 2.106(c) and conditioned on the Trademark Trial and Appeal Board's acceptance of an amendment limiting the scope of the goods in Application Serial No. 77/623,419 as filed by Applicant Monsterops, LLC ("Applicant"), Opposer The Republic of Tea, Inc. (hereinafter "Opposer") withdraws, without prejudice, its Notice of Opposition against Application Serial No. 77/623,419 for the mark GET SPIKED!.

The withdrawal of the Notice of Opposition against Application Serial No. . 77/623,419 is being filed with the written consent of Applicant and is without prejudice.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

Dated: Dec. 22, 2010

By:



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Applicant Monsterops LLC hereby consents to Opposer's withdrawal of the Notice of Opposition without prejudice against Application Serial No. 77/623,419 for the mark GET SPIKED!.

HAMILTON DESANCTIS CHA LLP

Dated: Oct 10, 2010

By:

A handwritten signature in black ink, appearing to read "Don D. Cha", written over a horizontal line.

Don D. Cha, Ph. D
Financial Plaza at Union Square
225 Union Blvd., Suite 150
Lakewood, CO 80228.